

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ANTHONY WILLIAMS,)	
)	
Petitioner,)	
)	
vs.)	CIVIL NO. 08-cv-589-GPM
)	
WARDEN SHERROD,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

MURPHY, District Judge:

Petitioner, a prisoner proceeding *pro se*, has filed a habeas corpus action pursuant to 28 U.S.C. § 2241. Despite correspondence from the Clerk, Petitioner has not yet paid the \$5 filing fee for this action, nor has he filed a properly supported motion for leave to proceed *in forma pauperis*. See 28 U.S.C. §§ 1914, 1915.

IT IS HEREBY ORDERED that, within **THIRTY (30) DAYS** of the date of the entry of this Order, Petitioner shall pay the \$5 filing fee applicable to this action. In the alternative, Petitioner may file a motion to proceed *in forma pauperis*, supported by a certified copy of his prison trust fund account statement for the six-month period immediately preceding the filing of the complaint and an affidavit that includes a statement of his assets. Petitioner is **ADVISED** that in the event he has been transferred among institutions during this six-month period, it is Petitioner's responsibility to obtain a copy of his prison trust account statement from each such facility and to forward it to the Court. Petitioner is **FURTHER ADVISED** that his obligation to pay the filing fee for this action was incurred at the time the action was filed; such an obligation will exist whether

or not Petitioner is granted leave to proceed *in forma pauperis*. 28 U.S.C. § 1915(b)(1); *see also Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

IT IS FURTHER ORDERED that upon conclusion of this thirty-day period, should Petitioner fail to comply with this Order, this case will be closed for failure to pay the filing fee and for comply with an Order of this Court. FED.R.CIV.P. 41(b); *see generally Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).

IT IS SO ORDERED.

DATED: 10/14/08

s/ *G. Patrick Murphy*
G. Patrick Murphy
United States District Judge